



**MINUTES OF THE GILA COUNTY
PLANNING AND ZONING COMMISSION**

Thursday, February 18, 2016

GILA COUNTY BOARD OF SUPERVISORS HEARING ROOM

1400 E Ash St., Globe, AZ

10:00 am

REGULAR MEETING

1. The meeting was called to order at 10:01 am by Chairman Mickie Nye.
2. Pledge of Allegiance was led by Chairman Mickie Nye.
3. Roll Call: Christine Lopez did roll call; Chairman Mickie Nye, Mary Lou Myers, Randy Slapnicka (Absent), Ray Jones, Travis Williams, Jay Spehar, and Travis Holder. A quorum is present. Bob Gould reported that Lori Brown has resigned from the Committee and that Dawn Brunson was not reappointed. Mary Lou had a suggestion to replace Lori Brown with Kathy Meyers of Tonto Basin. Bob will have to contact Supervisor Pastor to see what his interests are for refilling the position.

Community Development Staff Members Present: Robert Gould-P/T Planner, Christine Lopez, Scott Buzan – Interim Director, and Margie Chapman Code Compliance Supervisor/Zoning Assistant.

4. Review and Approval of the Planning and Zoning Minutes of December 17, 2015. Mickie asked if there were any suggestions. Mary Lou motioned to approve the December 17, 2015 Minutes, Ray Jones Seconded. Motion passed.
5. Approval of Revised Planning & Zoning Commission Calendar for 2016. Bob explained there was just one change to the calendar, the January 28, 2016 date was changed from January 21, 2016. Jay motioned to approve the 2016 Planning and Zoning Commission Calendar. Travis Williams Seconded. Motion passed.
6. Election of Officers- Chairman and Vice Chairman. Mary Lou Myers made the motion that Mickie Nye remain as Chairman, Jay Seconded. Motion passed, Vice Chairman – Mary Lou motioned Ray Jones be Vice Chairman, Jay Seconded. Motion passed.
7. **Director/Commission Communication:** At any time during this meeting of the Planning and Zoning Commission, the Director of Community Development may present a brief summary of current events. Bob – wanted to bring to the Boards' attention House SB 1346, section 11-820 regarding home occupied businesses. What is proposed will impact residential neighborhoods and possibly change the character of the area. As written, this amendment would allow wedding chapels to operate in the neighborhoods, the amount of visitors to the area could be as much as 400. Also the fencing height limits are changed. He is bringing this to your attention so that you may contact your senators to voice your displeasure about this impacting residential districts. Discussion ensued about the County having a lobbyist and whether or not we can have this person advocate our position on this Bill. The P&Z Commission can direct Bob to draft

a response to this bill and state our opinion. Travis W. asked Bob to do this, Bob said he will take the concerns to the County manager and have him handle it from there. Travis and Mickie asked Bob to do this. Bob will prepare a draft next week.

Mickie asked that Jeff Dalton, County Attorney be introduced. Bob explained that Jeff took over for Bryan Chambers, who was appointed to a judgeship. Jeff introduced himself and gave a little background on his duties.

INFORMATION/DISCUSSION/ACTION

8. Discussion on the use of Park Models for Accessory Dwelling Units. Bob explained the handouts, which were the Minutes from Yavapai County P&Z Minutes addressing Park Models. Travis Williams asked why this item keeps coming up on the Agenda. Mickie explained that we had previously asked our Attorney whether or not we can have residents sign a waiver that they will hold harmless Gila County if we allow them to reside in Park Models year round. The County Attorney stated that this waiver is not good enough.

Travis W. asked about what we could do about the hundreds that are already out in our community and being used at this time. Bob spoke about the two areas in our code that allow them be used – Mobile Home Parks only because years ago an interpretation was made in the GU District that Recreational accommodations are permitted. GU District allows people to put RV's and Park Models on their lots for recreational use, which is for not more than 180 days of occupancy. Bob suggested that we let this issue die and not keep working on it. Discussion ensued about people living full time in park models, RV's, etc.

Bob spoke about British Columbia laws that allow HUD Approved models to be used as permanent living. If someone should come to us with a HUD Approved Park Model, we would then recognize the home as a manufactured home and go forth from there. Jay spoke about bringing them into compliance and devise language to use for this issue. We still have issues with people living in them and have not addressed the process for dealing with complaints. Mickie stated the most common issues are neighbor complaints.

Jeff asked that we focus in on what we want him to speak about. Bob addressed our current code and staffing issues related to this. Jeff's opinion is that this is out of their area of expertise as far as putting a stamp of approval on it as safe to live in or not. He read the intent/use of Park Models – explained that they were manufactured and engineered for a specific purpose and if we step outside of that we are leaving our shield against liability. Government has a shield of liability and it is not reasonable for the Board of Supervisors to approve and enact an ordinance allowing the use of a structure for permanent housing that is not manufactured for this purpose. It becomes a personal liability situation and the County is not willing to make this our business. He suggested writing the ordinance language to state that the residents may modify the unit and get an architectural engineering stamp of approval so they may be lived in as permanent housing. He stated that if people are out in the County using RV's as permanent residences it does not create government liability. Once we enact an ordinance, it becomes the County's liability. Bob explained that we can permit them to be hooked up to electrical in GU Zoning, but there is not a time limit as to how long this may be done.

Suggestions were asked on how to proceed, or make this issue go away. Jeff stated that non-enforcement would be a way to do this. Mary Lou inquired as to why we issue permits on

electrical, and hookups for RV's. Scott addressed the building code ordinance for Park Models, which is the same for manufactured homes. Bob suggested that the Board can make a motion to take no action on this. Chairman asked for a motion - Jay made the motion to leave things as is written in the ordinance. Travis Holder seconded. Motion passed.

9. Chairman asked for a motion to adjourn the meeting - Jay Spehar motioned to adjourn and Travis Williams seconded. The motion to adjourn was unanimously approved at 10:42 AM.